

**REMARKS**

The Applicant wishes to thank Examiner Herring for the telephone interview of May 11, 2010, and for his helpful suggestions.

The allowance of Claims 11-13 and 15 is acknowledged. Claims 1, 10 and 20 are amended in order to more clearly define the claimed invention. It is respectfully submitted that no new matter is entered. It is believed that this response is fully responsive to the Office Action mailed February 17, 2010.

In the Office Action, Claim 10 is rejected under 35 U.S.C. §102(b) as being anticipated by Ishibashi et al., (JP 2003-113673). Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

The Office Action alleges that JP '673 discloses a shearing force reinforced structure having an existing reinforced concrete structure object (9); a first shearing force reinforced member (13) arranged inside a first reinforced member insertion hole and a second shearing force reinforced member arranged inside a second reinforced member insertion hole (2, 12), formed in the reinforced concrete structure object; and a filler (6) filled in the first reinforced member insertion hole and the second reinforced member insertion hole, wherein the first shearing force reinforced member is a first wire rod (13) as measured at a point along its length having the maximum diameter, and a first base end fixation member (the protruding band on the base end of the rod, see FIG. 3) formed at a base end of the first wire rod as measured at a point along its length having the maximum diameter

and having a width larger than a diameter of the first wire rod.

In a telephone call to the Examiner, it was confirmed that the Examiner is referring to end "ribs" of the 13 "ribs" shown on rod (13) and not component (5), shown in FIG. 3 of JP'673.

With respect to Claim 10, it is respectfully submitted that the band ("protruding band") near the base end in FIG. 3 of Ishibashi et al. is not a base end as now defined, but a wire rod having deformed portions along its length and it is not relevant to the present base end (or top end). Element (13) in FIG. 3 of Ishibashi et al. shows a deformed reinforcing rebar as recited in the specification (see page 3, Example 2 of Ishibashi et al.), and it is the same as the rebar shown in present drawings (e.g., FIG. 3) of the present invention. It is respectfully submitted that element (13) of Ishibashi et al. is different from the base end fixation member as presently claimed.

In view of the amendment to Claim 10 and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 1, 3, 4, 20, 21 and 25 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Osaka, JP7238690. Reconsideration and removal of the rejection are respectfully requested in view of the present claim amendments and the following remarks.

It is respectfully submitted that the invention of Osaka is not for the purpose of a shearing force reinforcement, but for the purpose of installing an anchor pin so that a mortar layer does not peel off in forming the surface of a concrete skeleton. As seen from FIGS. 5-9 and 13-14, there

exists a gap for filling an epoxy resin between the concrete skeleton and the mortar layer. The invention of Osaka is for the purpose of preventing a peel-off of the mortar layer, whereas, the present invention is for the purpose of a shearing force reinforcement.

Claims 1 and 20 are presently amended to more clearly define the shearing force reinforced structure, which includes an existing reinforced concrete structure object, wherein the existing reinforced concrete structure object is substantially of a similar material throughout and substantially void of gaps in the material. It is believed that the now-claimed invention clearly distinguishes over the device of Osaka.

In view of the amendment to Claims 1 and 20, and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 2, 5, 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Osaka ('690) in view of Tuska, (U.S. Patent No. 3,599,379). Reconsideration and removal of the rejection are respectfully requested in view of the present claim amendments and the following remarks.

Claims 2 and 5 depend from Claim 1, which is discussed above, and Claims 22-24 depend from Claim 20, which is discussed above.

In view of the amendments to Claims 1 and 20 and the above remarks, removal of this rejection is respectfully requested.

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In the Office Action, Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Osaka in view of Rossi, (U.S. Patent No. 6,860,935). Reconsideration and removal of the rejection are respectfully requested in view of the present claim amendment and the following remarks.

Claims 6 and 7 depend from Claim 1, which is discussed above.

In view of the amendment to Claim 1 and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 17 and 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ishibashi et al., JP 2003-113673 in view of Andraet et al., (U.S. Patent No. 5,867,960). Reconsideration and removal of the rejection are respectfully requested in view of the present claim amendment and the following remarks.

Claim 17 depends from Claim 10, which is discussed above.

In view of the amendment to Claim 10 and the above remarks, removal of this rejection is respectfully requested.

In view of the above remarks, Claims 1-7, 10, 17 and 20-26 as well as allowable Claims 11-13 and 15 are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned attorney at the telephone number


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indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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